



730446

LEGISLATIVE ACTION

Senate

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House

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The Committee on Criminal Justice (Book) recommended the following:

1           **Senate Substitute for Amendment (905096) (with title**  
2 **amendment)**

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4           Delete everything after the enacting clause  
5 and insert:

6           Section 1. Subsections (2) and (3) of section 27.14,  
7 Florida Statutes, are renumbered as subsections (3) and (4),  
8 respectively, and subsection (2) is added to that section, to  
9 read:

10           27.14 Assigning state attorneys to other circuits.—



11       (2) A victim of a sexual battery or cyberstalking may  
12 petition the Governor to disqualify a state attorney pursuant to  
13 subsection (1) if sufficient evidence is presented that shows a  
14 willful disregard of the evidence and repeated failure of a  
15 state attorney to prosecute a particular crime.

16       Section 2. Section 154.012, Florida Statutes, is created to  
17 read:

18       154.012 Sexual assault response teams; membership; duties.—

19       (1) The health department in every county in this state, or  
20 its designee, shall participate in the local sexual assault  
21 response team coordinated by the certified rape crisis center  
22 serving the county if such a team exists. If a local sexual  
23 assault response team does not exist, the certified rape crisis  
24 center serving the county may coordinate with community partners  
25 to establish a local or a regional team. The purpose of the  
26 sexual assault response team is to ensure a coordinated  
27 multidisciplinary response to sexual violence.

28       (2) Each team shall develop a written protocol to govern  
29 the team's response to sexual assault that includes:

30       (a) The role and responsibilities of each team member.

31       (b) Procedural issues regarding the immediate crisis and  
32 health care and law enforcement responses and follow-up services  
33 provided to a victim.

34       (c) Procedures for the preservation, secure storage, and  
35 destruction of evidence from a sexual assault evidence kit,  
36 including length of storage, site of storage, and chain of  
37 custody.

38       (d) Procedures for maintaining the confidentiality of the  
39 victim regarding the forensic medical examination.



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40           (3) Membership of each team shall be determined by the  
41 certified rape crisis center in collaboration with community  
42 partners. At a minimum, membership should include the following  
43 persons or their designees:

44           (a) The director of the local certified rape crisis center;

45           (b) A representative from the county health department;

46           (c) The state attorney;

47           (d) The chief of police;

48           (e) The county sheriff.

49           (f) Forensic sexual assault nurse examiners; and

50           (g) A representative from local hospital emergency

51 departments;

52           (4) The Florida Council Against Sexual Violence shall  
53 provide technical assistance relating to the development and  
54 implementation of the teams.

55           (5) Each team shall promote and support the use of  
56 qualified sexual assault forensic examiners who have  
57 successfully completed a minimum of 40 hours of specialized  
58 training in the provision of trauma-informed medical care and in  
59 the collection of evidence for sexual assault victims.

60           (6) Each team shall meet at least quarterly, or more often  
61 as determined by the team's membership, to ensure a coordinated  
62 multidisciplinary response to sexual violence and shall produce  
63 an annual report for the jurisdictions covered by the team that  
64 includes local statistics on the number of forensic medical  
65 examinations performed, the number of criminal sexual assaults  
66 reported to law enforcement, the number of cases referred by law  
67 enforcement for prosecution, the number of criminal sexual  
68 assaults prosecuted and the outcome of the prosecutions. The



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69 annual report shall be submitted to the Florida Council Against  
70 Sexual Violence. The Florida Council Against Sexual Violence  
71 shall publish the annual report on its website.

72 Section 3. This act shall take effect July 1, 2021.  
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74 ===== T I T L E A M E N D M E N T =====

75 And the title is amended as follows:

76 Delete everything before the enacting clause  
77 and insert:

78 A bill to be entitled  
79 An act relating to victims of sexual offenses;  
80 amending s. 27.14, F.S.; providing for a victim of  
81 sexual battery or cyberstalking to petition the  
82 Governor to disqualify a state attorney under limited  
83 circumstances; creating s. 154.012, F.S.; requiring  
84 county health departments to participate in local  
85 sexual assault response teams coordinated by local  
86 certified rape crisis centers, if such a team exists;  
87 providing for establishment of regional sexual assault  
88 response teams; providing for duties, membership,  
89 meetings, technical assistance, and an annual report;  
90 requiring teams to promote and support the use of  
91 sexual assault forensic examiners meeting certain  
92 requirements; providing an effective date.